

ASSEMBLY BILL

No. 762

Introduced by Assembly Member Koretz

February 18, 2005

An act to add Chapter 10.5 (commencing with Section 7430) to Division 3 of the Business and Professions Code, relating to animal groomers.

LEGISLATIVE COUNSEL'S DIGEST

AB 762, as introduced, Koretz. Animal groomers.

Existing law provides for the regulation of various types of businesses by the Department of Consumer Affairs.

This bill would prohibit an animal groomer, as defined, from engaging in the practice of veterinary medicine. The bill would also set specified standards for a person that operates an animal grooming facility. The bill would make a person who violates these standards guilty of a misdemeanor. The bill would authorize a peace officer, officer of a humane society, or officer of an animal control or animal regulation department of a public agency to enforce these provisions.

Because a violation of certain provisions in the bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares the following:

(a) Many Californians take their pets to permanent or mobile grooming establishments, but there is currently no state regulation, monitoring, or oversight of this growing industry, or of the individuals who provide this service.

(b) Pet owners put the health and safety of their beloved animals in the hands of these individuals often without realizing there are no standards for the facility or for the groomers themselves.

(c) Unfortunately, many cherished family pets in California and around the country have been hurt, traumatized, treated inhumanely, or killed while at the groomer.

(d) While many groomers are caring and trained professionals, the grooming profession would benefit from a more stable and skilled labor supply.

(e) Consumers deserve to have confidence in individuals who are caring for their animals and in the grooming facilities in which their pets are kept, animals deserve to be cared for in a clean, safe, and humane environment, and groomers deserve the legal status and professional recognition afforded to other service professionals in the state, such as barbers and cosmetologists.

SEC. 2. Chapter 10.5 (commencing with Section 7430) is added to Division 3 of the Business and Professions Code, to read:

CHAPTER 10.5. ANIMAL GROOMING

7430. It is the intent of the Legislature to protect consumers who take their pets to be groomed and to enhance the professional status of animal groomers by developing and requiring educational, training, licensing, or certification standards for animal groomers in order to ensure that animals under the care of animal groomers are treated in a humane, safe, and professional manner.

7431. An animal groomer, employee of an animal groomer, or independent contractor performing services on behalf of an animal groomer shall not engage in the practice of veterinary

1 medicine as specified in Sections 4825 to 4831, inclusive,
2 including, but not limited to, diagnosing or treating illness,
3 prescribing or administering tranquilizers, sedatives, or other
4 medication, or performing any procedure that cuts, severs, or
5 disturbs tissue, skin, or gums.

6 7432. For purposes of this chapter, the following terms have
7 the following meanings:

8 (a) “Animal” means a dog, cat, rabbit, bird, or any other
9 species of animal that is in the care of a groomer.

10 (b) “Animal groomer” means a person engaged in the bathing,
11 brushing, cleaning, styling, and appearance maintenance of
12 animals as a retail service, or the handling of animals in
13 preparation for these services.

14 (c) “Animal grooming facility” means any mobile or
15 permanent commercial establishment where an animal may be
16 cleaned, styled, or have its appearance maintained.

17 7433. (a) Any person who operates an animal grooming
18 facility shall do all of the following:

19 (1) Take every reasonable precaution to ensure that animals
20 are not abused, treated, neglected, or endangered in any manner
21 or made to suffer by any persons or means.

22 (2) Maintain the grooming facility as a clean and sanitary
23 environment.

24 (3) Provide proper shelter for the animals and proper heating,
25 ventilation, and lighting for the facilities used for the keeping of
26 pet animals.

27 (4) Ensure that dryers that are not hand-held are in clear and
28 full view and monitored at all times, are equipped with a timer
29 that will automatically shut off the dryer after 15 minutes, and
30 are maintained in top operating condition.

31 (5) Ensure that cages and grooming areas, such as tables,
32 benches, and tubs, are sturdy, free of sharp edges, and maintained
33 in good repair.

34 (6) Ensure that grooming tools such as dryers, brushes, combs,
35 and clippers are in good repair and sanitized after each use.

36 (7) Provide the animals access to fresh, potable water at all
37 times.

38 (8) Ensure that animal holding or drying areas are large
39 enough to allow the animal to stand up, lie down, and turn
40 around.

1 (9) Periodically inspect and properly maintain animal
2 enclosures, cages, tethers, nooses, or other restraint devices in
3 order to prevent injury or discomfort to the animals.

4 (10) Keep each animal in an individual cage whenever
5 possible, and, if not possible, house animals together
6 appropriately with respect to species, breed, size, and
7 temperament.

8 (11) Ensure that grooming personnel are within reach of any
9 animal during any bathing or grooming procedure at all times,
10 and that an animal is never left unattended.

11 (12) Have on file proof that the animal is current on all
12 vaccinations.

13 (13) Allow clients to tour the entire grooming facility at any
14 time, including the animal holding areas, or to be present with
15 their animal during the grooming process.

16 (14) Appropriately supervise each employee of the animal
17 grooming facility to ensure full compliance with this section at
18 all times.

19 (b) Any person who operates an animal grooming facility shall
20 have a working relationship with a veterinarian in order to
21 provide timely veterinary care as appropriate for illness or injury,
22 and shall know the nearest location of a 24-hour emergency
23 veterinary clinic. The name, address, telephone number, and
24 hours of operation of the veterinarian shall be posted in the
25 facility so that the information is clearly visible to both the
26 employees and the customers of the facility.

27 (c) Any person who operates an animal grooming facility shall
28 immediately report to the animal owner any injury to the animal
29 or the death of any animal at the facility, and shall additionally
30 report any animal injury or death at the facility to the local
31 animal control agency within 24 hours of the occurrence of the
32 incident. The notification shall include the name, address, and
33 telephone number of the owner of the injured or deceased animal.

34 (d) Any person who violates any provision of subdivision (a)
35 is guilty of a misdemeanor punishable by a fine of one thousand
36 dollars (\$1,000), by imprisonment in the county jail not
37 exceeding 90 days, or by both that fine and imprisonment, for the
38 first offense. Any second or subsequent violation is a
39 misdemeanor punishable by a fine of up to five thousand dollars
40 (\$5,000) or imprisonment as specified above.

1 (e) A peace officer, officer of a humane society, as qualified
2 under Section 14502 or 14503 of the Corporations Code, or
3 officer of an animal control or animal regulation department of a
4 public agency, as qualified under Section 830.9 of the Penal
5 Code, may enforce this section.

6 SEC. 3. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 the only costs that may be incurred by a local agency or school
9 district will be incurred because this act creates a new crime or
10 infraction, eliminates a crime or infraction, or changes the
11 penalty for a crime or infraction, within the meaning of Section
12 17556 of the Government Code, or changes the definition of a
13 crime within the meaning of Section 6 of Article XIII B of the
14 California Constitution.